

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

RANDI HANDWERK, JOHN  
VEHRENKAMP, and JUSTIN PIC, on  
behalf of themselves individually and all  
others similarly situated,

Plaintiff,

v.

BAYER CROPSCIENCE LP, et al,

Defendants.

Case No. 0:21-cv-00351-MJD-TNL

DAN FLATEN, on behalf of himself  
individually and all others  
similarly situated,

Plaintiff,

v.

BAYER CROPSCIENCE LP, et al,

Defendants.

Case No. 0:21-cv-00404-MJD-TNL

LEON PFAFF, on behalf of  
himself individually and all others  
similarly situated,

Plaintiff,

v.

BAYER CROPSCIENCE LP, et al,

Defendants.

Case No. 0:21-cv-00462-MJD-TNL

<p>B. CARLSON, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 0:21-cv-00475-MJD-TNL</p>
<p>RYAN BROS., INC., on behalf of themselves and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 0:21-cv-00433-MJD-TNL</p>
<p>EAGLE LAKE FARMS PARTNERSHIP, on behalf of itself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 0:21-cv-00543-MJD-TNL</p>

<p>BRAD DEKREY, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>0:21-cv-00639-MJD-TNL</p>
<p>TYLER SCHULTZ, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>0:21-cv-00681-MJD-TNL</p>
<p>HAPKA FARMS, INC. and AMY HAPKA, on behalf of themselves individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>0:21-cv-00685-MJD-TNL</p>

<p>BEEMAN BERRY FARM, LLC, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p>Defendants.</p>	0:21-cv-00719-MJD-TNL
<p>WUNSCH FARMS, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p>Defendants.</p>	0:21-cv-00970-MJD-TNL
<p>KENNETH BECK, on behalf of himself individually and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>BAYER CROPSCIENCE LP, et al.,</p> <p>Defendants.</p>	0:21-cv-00996-MJD-TNL

**JOINT STIPULATION REGARDING PRETRIAL ORDER NO. 1**

Plaintiffs Randi Handwerk, Dan Flaten, Ryan Bros., Inc., Michael J. Ryan, Leon Pfaff, B. Carlson, Eagle Lake Farms Partnership, Brad DeKrey, Tyler Schultz, Hapka

Farms, Inc., Amy Hapka, Beeman Berry Farm, LLC, Wunsch Farms, Kenneth Beck, John Vehrenkamp, and Justin Pic,<sup>1</sup> (collectively, “Plaintiffs”) and Defendants’ Bayer CropScience, LP, Bayer CropScience, Inc., Corteva, Inc., Pioneer Hi-Bred International, Inc., Cargill Incorporated, BASF Corporation, Syngenta Corporation, Winfield Solutions, LLC, Univar Solutions, Inc., Federated Co-Operatives Ltd., CHS Inc., Nutrien Ag Solutions Inc., Growmark Inc., Growmark FS, LLC, Simplot AB Retail Sub, Inc., and Tenkoz, Inc. (collectively, “Defendants”) enter into this Joint Stipulation regarding the submission of a Pretrial Order, in the above-referenced actions.

WHEREAS, in support of this Joint Stipulation, Plaintiffs and Defendants state:

1. The Parties in these related actions, pending in the District of Minnesota, have voluntarily coordinated proceedings while the Judicial Panel on Multidistrict Litigation (“JPML”) considers a motion to transfer for coordination or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Plaintiffs<sup>2</sup> have jointly filed a Consolidated Amended Class Action Complaint.

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<sup>1</sup> This Joint Stipulation is being filed in all cases referenced above.

<sup>2</sup> “Plaintiffs” refers to those in the following cases: *Handwerk, et al. v. Bayer Cropscience, et al.*, 0:21-cv-00351-MJD-TNL (D. Minn.); *Flaten v. Bayer Cropscience, et al.*, 0:21-cv-00404-MJD-TNL (D. Minn.); *Ryan Bros., Inc., v. Bayer Cropscience, et al.*, 0:21-cv-00433-MJD-TNL (D. Minn.); *Pfaff v. Bayer Cropscience, et al.*, 0:21-cv-00462-MJD-TNL (D. Minn.); *Carlson v. Bayer Cropscience, et al.*, 0:21-cv-00475-MJD-TNL (D. Minn.); *Eagle Lake Farms Partnership v. Bayer Cropscience, et al.*, 0:21-cv-00543-MJD-TNL (D. Minn.); *Dekrey v. Bayer Cropscience, et al.*, 0:21-cv-00639-MJD-TNL (D. Minn.); *Schultz v. Bayer Cropscience, et al.*, 0:21-cv-00681-MJD-TNL (D. Minn.); *Hapka Farms, Inc. and Amy Hapka v. Bayer Cropscience et al.*, 0:21-cv-00685-MJD-TNL (D. Minn.); *Beeman Berry Farm, LLC v. Bayer Cropscience et al.*, 0:21-cv-00719-MJD-TNL (D. Minn.); *Wunsch Farms v. Bayer Cropscience et al.*, 0:21-cv-00970-MJD-TNL (D. Minn.); and *Beck v. Bayer Cropscience et al.*, 0:21-cv-00996-MJD-TNL (D. Minn.). This proposed pretrial order is being filed contemporaneously in each of those dockets.

2. The Proposed Pretrial Order shall govern the practice and procedure in those actions listed herein so long as the Court has jurisdiction over the actions. This Order shall also apply to any actions later filed in, removed to, or transferred to this Court that are deemed related by this Court, by the Judicial Panel on Multidistrict Litigation, or by stipulation of the parties with Court approval. The Court will refer to all such existing and future actions as the “Cases.”

3. All Cases are hereby consolidated into one action (the “Consolidated Action”) for all pretrial purposes, pursuant to Fed. R. Civ. P. 42. This consolidation does not constitute a determination that all later-filed Cases should be consolidated for trial, nor does it have the effect of making any person or entity a party to any Case in which that party has not been named, served, or added in accordance with the Federal Rules of Civil Procedure.

4. Plaintiffs and Defendants have met, and conferred, and agreed upon the Proposed Pretrial Order No. 1.

5. GROWMARK Inc. states that it has consulted with all defendants in the Cases and that all defendants have consented to this stipulation and to the entry of the proposed order.

WHEREFORE, Plaintiffs and Defendants respectfully request that the Court approve this Joint Stipulation and Proposed Pretrial Order.

Dated: April 30, 2021

Respectfully submitted,

<u>/s/ Daniel E. Gustafson</u> Daniel E. Gustafson (MN Lic. #202241) Daniel C. Hedlund (MN Lic. #258337)	<u>/s/ Jaime Stilson</u> Michael A. Lindsay (MN Lic. #0163466) F. Matthew Ralph (MN Lic. #0323202)
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Michelle J. Looby (MN Lic. #0388166)  
 Daniel J. Nordin (MN Lic. #0392393)  
 Mickey L. Stevens (MN Lic. #0398549)  
 GUSTAFSON GLUEK PLLC  
 Canadian Pacific Plaza  
 120 South Sixth Street, Suite 2600  
 Minneapolis, MN 55402  
 Telephone: (612) 333-8844  
 dgustafson@gustafsongluek.com  
 dhedlund@gustafsongluek.com  
 mlooby@gustafsongluek.com  
 dnordin@gustafsongluek.com  
 mstevens@gustafsongluek.com

*Counsel for Plaintiffs Randi Handwerk,  
 Dan Flaten, Leon Pfaff, Eagle Lake  
 Farms Partnership, Wunsch Farms, John  
 Vehrenkamp, and Justin Pic*

Joseph W. Cotchett  
 Adam J. Zapala  
 Karin B. Swope  
 Elizabeth T. Castillo  
 James G.B. Dallal  
 Reid W. Gaa  
 COTCHETT, PITRE & MCCARTHY,  
 LLP  
 840 Malcolm Road, Suite 200  
 Burlingame, CA 94010  
 Tel: (650) 697-6000  
 Fax: (650) 697-0577  
 jcotchett@cpmlegal.com  
 azapala@cpmlegal.com  
 kswope@cpmlegal.com  
 ecastillo@cpmlegal.com  
 jdallal@cpmlegal.com  
 rgaa@cpmlegal.com

*Counsel for Plaintiff Randi Handwerk*

Jaime Stilson (MN Lic. #0392913)  
 DORSEY & WHITNEY LLP  
 50 South Sixth Street Suite 1500  
 Minneapolis, MN 55402-1498  
 Telephone: (612) 340-2600  
 lindsay.michael@dorsey.com  
 ralph.matthew@dorsey.com  
 stilson.jaime@dorsey.com

*Counsel for GROWMARK, Inc.;  
 GROWMARK FS, LLC*

/s/Michael R. Cashman

Michael R. Cashman (MN Lic. #206945)

Anne T. Regan (MN Lic. #0333852)

Nathan D. Prosser (MN Lic. #0329745)

**HELLMUTH & JOHNSON PLLC**

8050 West 78th Street

Edina, MN 55439

Telephone: (952) 941-4005

Facsimile: (952) 941-2337

aregan@hjlawfirm.com

nprosser@hjlawfirm.com

*Counsel for Plaintiffs Randi Handwerk,  
Michael J. Ryan & Ryan Bros., Inc., and  
Kenneth Beck*

Joseph Goldberg

Vincent J. Ward

Frank T. Davis

Josh B. Ewing

**FREEDMAN BOYD HOLLANDER**

**GOLDBERG URIAS & WARD P.A.**

20 First Plaza, Suite 700

Albuquerque, NM 87102

Telephone: (505) 305-1263

jg@fbdlaw.com

vwj@fbdlaw.com

ftd@fbdlaw.com

jbe@fbdlaw.com

*Counsel for Plaintiff Randi Handwerk*

Richard M. Paul III

Ashlea G. Schwarz

**PAUL LLP**

601 Walnut Street, Suite 300

Kansas City, MO 64106

Telephone: 816-984-8100

Fax: 816-984-8101

Rick@PaulLLP.com

Ashlea@PaulLLP.com



*Counsel for Plaintiff Dan Flaten*

Drew R. Ball  
Steve McCann  
BALL & MCCANN, P.C.  
161 North Clark Street, Suite 1600  
Chicago, Illinois 60601  
Telephone: (872) 205-6556  
Fax: (872) 204-0244  
Drew@BallMcCannLaw.com  
Steve@BallMcCannLaw.com

*Counsel for Plaintiffs Michael J. Ryan &  
Ryan Bros., Inc., and Kenneth Beck*

Robert J. Gralewski, Jr.  
Samantha L. Greenberg  
KIRBY McINERNEY LLP  
600 B Street, Suite 2110  
San Diego, CA 92101  
Telephone: (619) 784-1442  
bgralewski@kmlp.com  
sgreenberg@kmlp.com

*Counsel for Plaintiff Leon Pfaff*

Kenneth A. Wexler  
Mark R. Miller  
Melinda J. Morales  
WEXLER WALLACE LLP  
55 W. Monroe Street, Suite 3300  
Chicago, Illinois 60603  
Tel: (312) 346-2222  
Fax: (312) 346-0022  
kaw@wexlerwallace.com  
mrm@wexlerwallace.com  
mjm@wexlerwallace.com

*Counsel for Plaintiff Leon Pfaff*

Timothy D. Battin  
 Christopher V. Le  
 STRAUS & BOIES, LLP  
 4041 University Drive, Suite 500  
 Fairfax, VA 22030  
 Tel: (703) 764-8700  
 tbattin@straus-boies.com  
 cle@straus-boies.com

*Counsel for Plaintiff Leon Pfaff*

/s/David M. Cialkowski  
 David M. Cialkowski (MN Lic. #306526)  
 Brian C. Gudmundson (MN Lic. #336695)  
 Alyssa J. Leary (MN Lic. #397552)  
 ZIMMERMAN REED LLP  
 1100 IDS Center, 80 S. 8th St.  
 Minneapolis, MN 55402  
 Telephone: (612) 341-0400  
 david.cialkowski@zimmreed.com  
 brian.gudmundson@zimmreed.com  
 alyssa.leary@zimmreed.com

Hart L. Robinovitch (MN Lic. #240515)  
 ZIMMERMAN REED LLP  
 14646 N. Kierland Blvd., Suite 145  
 Scottsdale, AZ 85254  
 Telephone: (480) 348-6415  
 hart.robinovitch@zimmreed.com

*Counsel for Plaintiffs B. Carlson and  
 Brad DeKrey*

E. Powell Miller  
 Sharon S. Almonrode  
 William Kalas  
 Dennis A. Lienhardt  
 THE MILLER LAW FIRM PC  
 950 West University Drive,

Rochester, Michigan 48307  
 Telephone: (248) 841-2200  
 epm@miller.law  
 ssa@miller.law  
 wk@miller.law  
 dal@miller.law

*Counsel for Plaintiff Brad DeKrey*

Jeffrey B. Gittleman  
 Chad A. Carder  
 BARRACK, RODOS & BACINE  
 3300 Two Commerce Square  
 2001 Market Street  
 Philadelphia, PA 19103  
 Telephone: (215) 963-0600  
 Fax: (215) 963-0838  
 jgittleman@barrack.com  
 ccarder@barrack.com

*Counsel for Plaintiff Eagle Lake Farms Partnership*

John G. Emerson  
 EMERSON FIRM, PLLC  
 2500 Wilcrest, Suite 300  
 Houston, TX 77042  
 Telephone: (800)-551-8649  
 Fax: (501) 286-4659  
 jemerson@emersonfirm.com

*Counsel for Plaintiff Eagle Lake Farms Partnership*

/s/ Bryan L. Bleichner

Karl L. Cambronne (MN Lic. #14321)  
 Bryan L. Bleichner (MN Lic. #0326689)  
 Jeffrey D. Bores (MN Lic. #227699)

Christopher P. Renz (MN Lic. #0313415)  
 CHESTNUT CAMBRONNE PA  
 100 Washington Avenue South, Suite  
 1700 Minneapolis, MN 55401  
 Telephone: (612) 339-7300  
 Fax: (612) 336-2940  
 kcambronne@chestnutcambronne.com  
 bbleichner@chestnutcambronne.com  
 jbores@chestnutcambronne.com  
 crenz@chestnutcambronne.com

*Counsel for Plaintiff Tyler Schultz*

Wilbert B. Markovits  
 Terence R. Coates  
 MARKOVITS, STOCK & DEMARCO,  
 LLC  
 3825 Edwards Road, Ste. 650  
 Cincinnati, OH 45209  
 Telephone: (513) 651-3700  
 Fax: (513) 665-0219  
 bmarkovits@msdlegal.com  
 tcoates@msdlegal.com

*Counsel for Plaintiff Tyler Schultz*

/s/ Garrett D. Blanchfield  
 Mark Reinhardt (MN Lic. # 90530)  
 Garrett D. Blanchfield (MN Lic. #209855)  
 Roberta A. Yard (MN Lic. #322295)  
 REINHARDT WENDORF &  
 BLANCHFIELD  
 332 Minnesota Street, Suite W1050  
 St. Paul, MN 55101  
 Telephone: (651) 287-2100  
 Fax: (651) 287-2103  
 m.reinhardt@rwblawfirm.com  
 g.blanchfield@rwblawfirm.com  
 r.yard@rwblawfirm.com

*Counsel for Plaintiffs Hapka Farms, Inc.  
& Amy Hapka*

*/s/William G. Caldes*

William G. Caldes

Jeffrey J. Corrigan

Jeffrey L. Spector

Icee N. Etheridge

SPECTOR ROSEMAN & KODROFF,  
P.C.

2001 Market Street, Suite 3420

Philadelphia, PA 19103

Telephone: (215) 496-0300

Fax: (215) 496-6611

bcaldes@srkattorneys.com

jcorrigan@srkattorneys.com

jspector@srkattorneys.com

ietheridge@srkattorneys.com

*Counsel for Plaintiff Beeman Berry Farm,  
LLC*

Rhett A. McSweeney (MN Lic. #269542)

Jonathan R. Mencil (MN Lic. #390056)

MCSWEENEY LANGEVIN

2116 Second Avenue South

Minneapolis, MN 55404

Telephone: (612) 746-4646

Fax: (612) 454-2678

ram@westrikeback.com

jon@westrikeback.com

filing@westrikeback.com

*Counsel for Plaintiff Beeman Berry Farm,  
LLC*

Mark K. Wasvary

MARK K. WASVARY, P.C.  
 2401 W. Big Beaver Rd, STE 100  
 Troy, MI 48084  
 Telephone: 248-649-5667  
 Fax: 248-649-5668  
 markwasvary@hotmail.com

*Counsel for Plaintiff Beeman Berry Farm, LLC*

Brian P. Murray  
 Lee Albert  
 GLANCY PRONGAY & MURRAY LLP  
 230 Park Avenue, Suite 530  
 New York, NY 10169  
 Telephone: (212) 682-5340  
 Fax: (212) 884-0988  
 bmurray@glancylaw.com  
 lalbert@glancylaw.com

*Counsel for Plaintiff Beeman Berry Farm, LLC*

Steven A. Kanner  
 Jonathan M. Jagher  
 FREED KANNER LONDON & MILLEN  
 LLC  
 2201 Waukegan Rd, Suite 130  
 Bannockburn, IL 60015  
 Telephone: (224) 632-4500  
 Fax: (224) 632-4521  
 skanner@fklmlaw.com  
 jjagher@fklmlaw.com

*Counsel for Plaintiff Beeman Berry Farm, LLC*

David P. McLafferty  
 MCLAFFERTY LAW FIRM, P.C.  
 923 Fayette Street

Conshohocken, PA 19428  
Telephone: (610) 940-4000 ext. 12  
Fax: (610) 940-4007  
dmclafferty@mclaffertylaw.com

*Counsel for Plaintiff Beeman Berry Farm,  
LLC*

Brett Cebulash  
Kevin Landau  
Evan Rosin  
TAUS, CEBULASH & LANDAU, LLP  
80 Maiden Lane, Suite 1204  
New York, NY 10038  
Telephone: (212) 931-0704  
bcebulash@tcclaw.com  
klandau@tcclaw.com  
erosin@tcclaw.com

*Counsel for Plaintiff Wunsch Farms*